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\*E-FILED - 1/18/07\*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

PICTURE IT SOLD!, INC., a California  
corporation,

Plaintiff,

vs.

iSOLD IT, LLC., a California limited liability  
company; and DOE 1 through DOE 30,  
inclusive.

Defendants.

Case No.: C-05-2598 RMW - RS

**STIPULATED REQUEST OF PARTIES  
TO CONTINUE CASE MANAGEMENT  
DATES INCLUDING TRIAL; AND,  
ORDER**

No Hearing Set

**TRIAL: May 7, 2007  
JUDGE: Hon. Ronald M. Whyte**

**REQUEST FOR CONTINUANCE**

The Parties, by and through undersigned Counsel, hereby request this Honorable Court to extend all dates, including the date for discovery cut-off and trial in this matter by no less than sixty (60) days.

1 Plaintiffs counsel has made such request to Defendants Counsel, based on the reasons stated  
2 below, and Defendants Counsel has graciously stipulated to the request.

3 This is a fairly complex case involving novel issues in Unfair Competition and Trademark  
4 Infringement. Non-expert discovery cutoff is set for February 27, 2007 and trial is set for May 7,  
5 2007. However, Plaintiffs' Counsel Farber and Company is a small law firm and is currently being  
6 taxed with some staffing issues. The Managing Partner, Eric Farber's father was just diagnosed with  
7 terminal cancer and he has been traveling back and forth to Phoenix, Arizona on a regular basis to  
8 assist his father and family. His availability to manage the practice and case load has been significantly  
9 hindered. Secondly, the lead counsel for Farber and Company, Ann Draper has fallen ill with a lung  
10 disorder, simply known as Restrictive Airway Disease and is being treated for the disease and has  
11 restricted work availability over the next three months.

12 By this Request we ask the Court to continue all dates in this matter for a period of sixty days.  
13 The Parties hereby request a Case Management Conference to review such dates with the Court.

14  
15 DATED: January 8, 2007

FARBER & COMPANY ATTORNEYS, LLP

16  
17 By \_\_\_\_\_/s/\_\_\_\_\_  
18 Eric J. Farber  
19 Attorneys for Plaintiff Picture It SOLD!, Inc.

20 DATED: January 8, 2007

FARBER & COMPANY ATTORNEYS, LLP

21  
22 By \_\_\_\_\_/s/\_\_\_\_\_  
23 Ann McFarland Draper  
24 Attorneys for Plaintiff Picture It SOLD!, Inc.

1  
2 DATED: January 8, 2007

THE DAVIS LAW FIRM

3  
4 By \_\_\_\_\_/s/\_\_\_\_\_  
5 Damien Lillis  
6 Attorneys for Defendant iSOLD It, LLC  
7

8 **ORDER**

9 THE PARTIES HAVING STIPULATED AND GOOD CAUSE APPEARING THIS  
10 COURT ORDERS:

11 That all dates currently set for this matter are vacated and the Court shall set a Case  
12 Management Conference to discuss the resetting of all dates before this court. The Court sets a  
13 Case Management Conference for January 26, 2007 @ 10:30 a.m. Parties shall file a Joint  
Status Report by January 22, 2007.

14 **IT IS SO ORDERED.**

15 DATED: \_1/18/07\_\_\_\_\_

16   
17 \_\_\_\_\_  
18 The Honorable Judge Ronald M. Whyte  
Judge of the United States District Court  
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I declare that:

I am employed in the County of San Francisco in the offices of the attorneys at whose request this service is being made. I am over eighteen years of age and not a party to the within action, my business address is 847 Sansome Street, Lower Level, San Francisco, California 94111.

On January 8, 2007 I served true and correct copies of this document on all parties in said cause by enclosing a true copy thereof in a sealed envelope and following ordinary business practices on the above date:

Damien P. Lillis  
THE DAVIS LAW FIRM, APC  
625 Market Street, 12<sup>th</sup> Floor  
San Francisco, California 94105  
dlillis@sfdavislaw.com

XX (BY REGULAR        PRIORITY MAIL) I caused such envelope(s) with postage thereon fully prepaid to be placed in the U.S. Mail at San Francisco.

           (BY CERTIFIED MAIL, RETURNED RECEIPT REQUESTED) I caused such envelope(s) with postage thereon fully prepaid and fees paid for certified mail and return of the attached receipt to be placed in the U.S. Mail at San Francisco.

           (BY FEDERAL        AIRBONE EXPRESS) I caused such envelope(s) to be delivered by hand to the office(s) of the addressee(s).

           (BY PERSONAL DELIVERY) I caused such envelope(s) to be delivered by hand to the office(s) of the addressee(s).

XX (BY ELECTRONIC MAIL) I caused such copies to be sent with same day service.

I declare under the penalty of perjury under the laws of the State of California the above is true and correct.

Dated: January 8, 2007  
At San Francisco, California

/s/  
James D. Ball